

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of California on the following:
() Patents or (x) Trademarks

DOCKET NO: <u>5:16-cv-00606-BLF</u>	DATE FILED: February 4, 2016	UNITED STATES DISTRICT COURT Robert F. Peckham Federal Building 280 South 1st Street San Jose, CA 95113
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PLAINTIFF: <u>Delphix Corp.</u>	DEFENDANT: <u>Embarcadero Technologies, Inc.</u>
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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1. See Complaint		
2. <u>3,768,914</u>		
3.		
4.		
5.		

In the above-entitled case, the following patent(s) have been included.

DATE INCLUDED INCLUDED BY:
() Amendment () Answer () Cross Bill () Other Pleading

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1.		
2.		
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In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGEMENT: Copy of Judgment Attached. Copy of Notice of Appeal Attached.
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Susan Y. Soong

Susan Y. Soong, Clerk

Sandy Nunes

(by) Deputy Clerk, Sandy Nunes

Copy 1 – Upon initiation of action, mail this copy to Commissioner
Copy 2 – Upon filing document adding patent(s) mail this copy to Commissioner
Copy 3 – Upon termination of action, mail this copy to the Commissioner
Copy 4 – Case file copy

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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
5 SAN JOSE DIVISION
6

7 DELPHIX CORP.,
8 Plaintiff,

9 v.

10 EMBARCADERO TECHNOLOGIES, INC.,
11 Defendant.

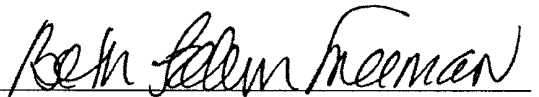
Case No. 16-cv-00606-BLF

JUDGMENT

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13 Pursuant to the Court's Order issued this date, granting defendant's motion to dismiss for
14 lack of personal jurisdiction, this action is HEERBY DISMISSED. The Clerk may close the file.

15 **IT IS SO ORDERED.**

16 Dated: August 25, 2016

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18 BETH LABSON FREEMAN
19 United States District Judge
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United States District Court
Northern District of California

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14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
16

17 DELPHIX CORP.,
18 Plaintiff,
19
20 v.
21 EMBARCADERO TECHNOLOGIES, INC.,
22 Defendant.

Case No.: 5:16-cv-00606-BLF

**PLAINTIFF DELPHIX CORP.'S
NOTICE OF APPEAL**

Dept: Courtroom 3, 5th Floor
Judge: Honorable Beth Labson Freeman

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28 PLAINTIFF DELPHIX CORP.'S
NOTICE OF APPEAL

CASE NO.: 5:16-cv-00606-BLF

1 NOTICE IS HEREBY GIVEN THAT Plaintiff Delphix Corp. appeals to the United States
2 Court of Appeals for the Ninth Circuit from the final judgment of the district court entered in this
3 action on August 25, 2016 (Dkt. No. 45), together with all underlying orders, rulings, and
4 findings, including without limitation portions of the Order Denying Motion to Dismiss for Lack
5 of Subject Matter Jurisdiction and Granting Motion to Dismiss for Lack of Personal Jurisdiction
6 Without Leave to Amend and Dismissing the Action, entered on August 25, 2016 (Dkt. No. 44).

7 Dated: August 26, 2016

FENWICK & WEST LLP

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9 By: /s/ Jedediah Wakefield
Jedediah Wakefield

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11 Attorneys for Plaintiff
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14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION
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17 DELPHIX CORP.,

18 Plaintiff,

19 v.

20 EMBARCADERO TECHNOLOGIES, INC.,

21 Defendant.
22

Case No.: 5:16-cv-00606-BLF

**PLAINTIFF DELPHIX CORP.'S
REPRESENTATION STATEMENT**

Dept: Courtroom 3, 5th Floor
Judge: Honorable Beth Labson Freeman

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28 PLAINTIFF DELPHIX CORP.'S
REPRESENTATION STATEMENT

CASE NO.: 5:16-cv-00606-BLF

Plaintiff Delphix Corp. hereby presents its Representation Statement pursuant to Federal Rule of Appellate Procedure 12(b) and Ninth Circuit Rule 3-2.

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Defendant Embarcadero Technologies, Inc.	<p>Neil D. Greenstein TECHMARK 15466 Los Gatos Blvd., #109-150 Los Gatos, CA 95032 Telephone (347) 514-7717 Facsimile: (408) 280-2250 Email: ndg@techmark.com</p> <p><i>Alternative Address:</i> 3525 Del Mar Heights Road, #780 San Diego, CA 92130 Telephone: 858-779-9046 Fax: 408-280-2250</p>

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